

**Before the  
COPYRIGHT ROYALTY JUDGES  
Washington, D.C.**

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<i>In re</i>	)	
	)	
<b>DISTRIBUTION OF CABLE</b>	)	<b>NO. 14-CRB-0010-CD (2010-13)</b>
<b>ROYALTY FUNDS</b>	)	
_____	)	

**Written Direct Testimony of Nancy A. Mathiowetz, Ph.D.**

**December 22, 2016**

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## **I. Qualifications**

1. I am Professor Emerita, Department of Sociology at the University of Wisconsin-Milwaukee (UWM). Prior to joining the faculty at UWM in 2003, I was Associate Professor, Joint Program in Survey Methodology, University of Maryland and University of Michigan. I received a B.S. from the University of Wisconsin and a M.S. (Biostatistics) and Ph.D. (Sociology) from the University of Michigan. I served as co-Editor, *Public Opinion Quarterly* from 2008-2012 and as President, American Association for Public Opinion Research (AAPOR) from 2007-2008. In 2015 I was awarded the AAPOR Award for Exceptional Distinguished Achievement. Between 1998 and 2004, I was an associate editor of the *Journal of Official Statistics* and I have served as a reviewer for numerous other journals and publications. I am an elected Fellow, American Statistical Association. In recent years I have served as an advisor to the U.S. Energy Information Agency, the California Health Interview Survey, and the U.S. Bureau of Labor Statistics, as a member of technical panels of the National Academy of Sciences as well as a reviewer for the National Science Foundation and the National Institutes of Health, all with respect to my area of expertise, survey methodology. I have testified as an expert on survey research methodology in federal and state court cases.

2. My research focuses on various aspects of survey methodology, including, but not limited to, the effects of mode and methods of data collection, question and questionnaire design, response error, and means to assess and reduce various sources of error in the survey process. I have taught courses on survey

methodology, questionnaire design, and advanced statistical methods and have offered short courses on questionnaire design to various audiences. My curriculum vitae, which outlines my professional experience as well as my publications, is included as Appendix A.

## **II. Introduction and Summary**

3. The Joint Sports Claimants (JSC) have asked that I review the 2010-13 cable operator surveys conducted by Bortz Media and Sports Group, Inc. (Bortz) and render my opinion on the methodology used to conduct the surveys. Bortz describes that methodology in a report entitled “Cable Operator Valuation of Distant Signal Non-Network Programming: 2010-13” (Bortz Report).

4. My review of the Bortz Report leads me to conclude that the 2010-13 Bortz Surveys provide a valid and reliable assessment of the relative market value of the different categories of distant signal programming that cable systems carried during the years 2010-13.

## **III. Background**

5. The Copyright Office has explained that:

Section 111 of the Copyright Act of 1976, title 17 of the United States Code, established a compulsory licensing system under which cable systems may make secondary transmissions of copyrighted works. The license prescribes various conditions under which cable systems may obtain a compulsory license to retransmit copyrighted works [on broadcast television stations], including the filing of statements of account forms. It also establishes the requirements governing the form, and content of the filing of these semi-annual statements and submission of statutory royalty payments ([http://www.copyright.gov/licensing/sec\\_111.html](http://www.copyright.gov/licensing/sec_111.html)).

Royalties collected from cable system operators are distributed to the copyright owners of the programs on distant broadcast signals (claimants) via a process overseen by the Copyright Royalty Judges (CRJs). For the distribution of the 2010-2013 cable royalty funds, the agreed categories of claimants are the Canadian Claimants, Commercial Television Claimants, Devotional Claimants, Joint Sports Claimants, Music Claimants, National Public Radio, Program Suppliers, and Public Television Claimants (*Notice Of Participant Groups, Commencement Of Voluntary Negotiation Period (Allocation), And Scheduling Order*, Docket No. 14-CRB-0010-CD (2010-13), Nov. 25, 2015).<sup>1</sup>

6. Cable system operators retransmit distant broadcast signals in their entirety under the Section 111 compulsory license. As a result, it is impossible to directly observe the market value of any one category of programming on those distant signals. For example, the distant signal being retransmitted may include sports programming, syndicated television shows, as well as locally produced shows, all for a given royalty set by law.

7. As the CRJs have observed:

All parties acknowledge that Congress did not set forth a statutory standard for cable royalty allocations...[F]or purposes of this proceeding, the parties are all in agreement that the sole governing

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<sup>1</sup> The CRJs have observed that the Music Claimants category differs from the others because it “permeates all other program categories,” and accordingly the CRJs took a share for Music “off the top” before allocating the royalties among the other program categories (Federal Register, Vol. 75, No. 180, p. 57075). National Public Radio also is unique because its claim is not for television programming but rather is for radio broadcasts.

standard is the relative marketplace value of the distant broadcast signal programming retransmitted by cable systems during 2004 and 2005 (Federal Register, Vol. 75, No. 180, September 17, 2010, p. 57065).

Although there are different approaches to determining relative marketplace value, Bortz has used a constant sum survey of cable operators since 1983 to determine the relative value of different categories of distant signal programming retransmitted by cable systems pursuant to the Section 111 license. The history of Bortz's use of the constant sum methodology is outlined in Appendix A of the Bortz Report. Several market research and survey experts have offered testimony concerning the methodology of the Bortz surveys in prior royalty distribution proceedings.<sup>2</sup>

8. In their allocation of cable royalty funds for 2004-2005, the CRJs found that "the values of the program categories at issue among these contending claimants are most reasonably delineated by a range bounded by certain results indicated primarily by the Bortz constant sum survey . . . ." Federal Register, Vol. 75, No. 180, p. 57065. Similarly, in *Report of the Copyright Arbitration Royalty Panel to the Librarian of Congress* (2003), concerning the distribution of 1998 and 1999 cable royalty funds, the Copyright Royalty Arbitration Panel (CARP) noted:

In conclusion, the Panel accepts the Bortz survey as an extremely robust (powerfully and reliably predictive) model for determining relative value for PS, JSC, and NAB-for both the Basic Fund and the

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<sup>2</sup> I have reviewed the written direct testimony of Gregory Duncan (2004-2005 Proceeding), Joel Axelrod (1990-92 Proceeding), Leonard Reid (1989 Proceeding), and Samuel H. Book (1989 Proceeding), who supported Bortz, and the written direct testimony of Alan Rubin (1983, 1989, 2004-05 Proceedings), who criticized Bortz.

3.75% Fund. Indeed, for reasons discussed *infra*, we find that the Bortz survey is more reliable than any other methodology presented in this proceeding for determining the relative marketplace value of these three claimant groups (p. 31).

#### **IV. Analysis of the 2010-13 Bortz Surveys**

9. The Federal Judicial Center and National Academy of Sciences have published “The Reference Guide on Survey Research” (Diamond, 2011)—one of the chapters of the *Reference Manual on Scientific Evidence*. The purpose of this Reference Guide is to assist courts in evaluating the quality of a survey. I will use this Reference Guide as a framework for reviewing the methodology of the 2010-13 Bortz Surveys<sup>3</sup>.

##### **A. Purpose and Design of Survey**

10. Diamond (2011) begins by focusing on issues related to the purpose and design of the survey. She poses the following questions:

- Was the survey designed to address relevant questions?
- Was participation in the design, administration, and interpretation of the survey appropriately controlled to ensure the objectivity of the survey?
- Are the experts who designed, conducted, or analyzed the survey appropriately skilled and experienced?

11. I believe that the 2010-13 Bortz surveys are designed to address the relevant question of interest, specifically, the relative value associated with specific categories of distant signal programs. The surveys continue (and improve upon) previous surveys conducted by Bortz and relied on by the CRJs and their predecessors in rendering decisions concerning copyright royalty distributions. The

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<sup>3</sup> I note that not all of the questions posed in the Reference Guide are relevant to the design and administration of the Bortz surveys; only those questions identified by Diamond (2011) that are relevant to the present discussion are included in my opinion.

fact that previous versions of a similar questionnaire and approach were used by the CRJs in their royalty distributions supports both the validity and the relevance of the methodology and, specifically, Question 4 concerning relative program values.

12. The questions used in the 2010-13 Bortz Surveys are clear and objective and relevant to the issue at hand. Interviewers and respondents were blinded to the use of the data, reducing bias that may be related to knowledge of the survey sponsor or related to the use of the data.

13. For over thirty years, Bortz has been engaged in the design and analysis of surveys presented to the CRJs and their predecessors. In addition, the data collection organization retained by Bortz, THA Research, provides market research to the cable and television industry and has extensive research experience interviewing executives. In my opinion, both the designers of the survey and the members of the data collection organization are appropriately skilled and experienced.

#### **B. Population Definition and Sampling**

14. Diamond continues in her outline, focusing on issues related to population definitions and sampling with the following three questions:

- Was an appropriate universe or population identified?
- Did the sampling frame approximate the population?
- Does the sample approximate the relevant characteristics of the population?

15. The focus of the 2010-13 Bortz Surveys was “Form 3” cable systems. Form 3 operators are those cable systems that had at least \$527,600 in semi-annual “gross



receipts” from retransmissions (see Bortz Report, p. 10). Although focusing on “Form 3” cable systems excludes Form 1 and 2 systems, as noted by Bortz, Form 3 systems account for more than 98 percent of total royalty payments, according to the Cable Data Corporation.<sup>4</sup> With coverage of over 98% of the royalty payment universe, “Form 3” systems are the appropriate population elements on which to focus.

16. The sampling frame –that is, the universe of interest –was comprised of statements of account filed by cable systems with the Copyright Office for the first accounting period of each survey year (Bortz Report, p. 11). This set of records used as the sampling frame for the survey mirrors the population of interest.

17. The cable operator survey utilized a stratified random sample of “Form 3” cable system operators. Copyright royalty payments were used as the classification variable for stratification of the sample. Specifically, for each year 2010-2013, the cable systems were divided into four strata, based on royalty class. The use of a stratified sample results in an efficient sample that assures that the resulting sample mirrors the population of interest (as compared to a simple random sample). In addition, a stratified sample leads to more efficient standard errors (margins of error) around the resulting estimates (once again, in comparison to a simple random sample).

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<sup>4</sup> Bortz also notes that it would not be feasible to include Form 1 and 2 systems in the survey because they file simpler accounting statements that do not specifically identify the distant signals carried on those systems (see Bortz, p. 10).

18. As outlined by Bortz (pp. 11-12), the sample for each of the four years, 2010-2013, consisted of four strata with disproportionate sampling so as to most efficiently maximize representation of those cable system operators who account for the largest royalty payments. In my opinion, the resulting sample fully reflects the population of interest.

### **C. Survey Implementation**

19. Diamond (2011) follows the questions concerning the sample design with ones that address implementation:

- What is the evidence that nonresponse did not bias the results of the survey?
- What procedures were used to reduce the likelihood of a biased sample?
- What precautions were taken to ensure that only qualified respondents were included in the survey?

20. The survey of cable systems operators was conducted as a telephone interview with the person most responsible for programming decisions serving as the respondent. Overall, the survey achieved high response rates, ranging from 51.8% to 56.6% for the four years. These are considered high response rates; it is not uncommon for high quality telephone surveys conducted by organizations such as the Pew Research Center to achieve response rates in only the 10% to 20% range.

21. The number of completed interviews per year ranged from 160 to 170 and represents between 28 and 40 percent of royalties paid for the respective years (Bortz Report, p. 21). The number of completed interviews provides a reliable base for estimation for each of the years.

22. Nonresponse bias is a function of both the nonresponse rate as well as the difference between respondents and nonrespondents on the key statistic of interest, in this case, relative program valuation. As noted above, the high rate of response is impressive for a telephone survey. In addition, high response rates were achieved consistently across each of the strata, thereby reducing concerns related to differential nonresponse (see Bortz Report, Table II-1, p. 13).

23. The use of a probability based, stratified sample, drawn from the universe of all Form 3 cable system operators, ensures that the sample was not biased.

24. The interviewers used for the study had at least 5 years of experience interviewing executives. Interviewers were trained to request to speak to the individual initially identified as responsible for programming decisions from industry sources and to confirm that he or she was the person “most responsible for programming carriage decisions” (Bortz Report, p. 22). If the individual was not the appropriate person, he or she was asked to identify that person; the eventual respondent did confirm his or her responsibility for the programming carriage decisions. Table II-4 (p. 23) of the Bortz report lists the job titles of the respondents for each of the four years. These procedures ensured that only qualified respondents were included in the survey.

25. With respect to the sample design and implementation, it is my opinion that the survey of cable system operators conducted by Bortz meets or exceeds current industry standards.

#### **D. The Survey Instrument**

26. Turning to the survey instrument, Diamond (2011) identifies the following as key issues relevant<sup>5</sup> to the Bortz survey:

- Were questions on the survey framed to be clear, precise, and unbiased?
- Did the survey use open-ended or closed-ended questions?
- If probes were used to clarify ambiguous or incomplete answers, what steps were taken to ensure that the probes were not leading and were administered in a consistent fashion?
- What approach was used to avoid or measure potential order or context effects?

27. For the 2010-2013 cable operator survey, Bortz made significant changes in the design of the questionnaire, in response, in part, to comments offered by the CRJs during the 2004-2005 hearings (Federal Register, 2010, p. 57063). These changes resulted in new introductory questions, an improved wording of the key question of interest concerning relative values among program categories, a new protocol used for interviewing cable system operators of WGN programs, and a new protocol for surveying operators carrying a large number of distant signals. Each of these changes (outlined in detail below), in my opinion, improved the survey instruments and resulted in questions that were clear, precise, and unbiased.

28. In previous cable system operator surveys, the initial questions in the survey asked about the popularity of specific programming and the use of distant signal

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<sup>5</sup> I did not include the following items identified by Diamond (2011), since I did not find them relevant to the Bortz survey: (1) "Were some respondents likely to have no opinion? If so, what steps were taken to reduce guessing?"; and (2) "If the survey was designed to test a causal proposition, did the survey include an appropriate control group or questions."

programming in advertising. Neither of these topics is necessarily a good primer for the key question of interest, specifically the relative value of program categories included in distant signals.

29. In response to the CRJs' comments (Federal Register, 2010, p. 57063), Bortz modified the introductory questions for its 2010-2013 surveys. The introductory questions begin by reviewing the specific distant signals carried by the system, and then asked the respondent to rank the importance of the relevant programming categories (that is, the subset of categories actually transmitted by the system<sup>6</sup>) and to rank the hypothetical costs associated with obtaining each category of programs. These questions serve as useful primers for the respondent, discussing the program categories that are of interest for the key question, that is, the relative value question (Question 4 in the survey).

30. The key question concerning relative value of programming categories was also modified for the 2010-2013 surveys in light of the opinions offered by the CRJs in 2004-2005. Previous wording for the relative value question requested that the respondent value the program categories with respect to "attracting and retaining subscribers." While this may be an important aspect for programming decisions, the CRJs in rendering their opinion for the 2004-2005 royalty distribution opined that other factors may also contribute to value placed on programming categories. In

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<sup>6</sup> The categories included movies; live professional and college team sports; syndicated shows, series, and specials; news and other station-produced programs; PBS and all other programming broadcast by noncommercial stations; devotional programs; and all programming broadcast by Canadian stations.

response to that concern, the revised wording for the 2010-2013 survey simply asks the respondent to “estimate the relative value to your cable system of each category of programming actually broadcast by the stations . . .” The revised wording allows the respondent to consider all aspects of a program’s value.

31. The methodology used for the key question is a constant sum methodology, a type of open-ended question. A constant sum question asks the respondent to divide their “sum” (e.g., dollar budget or 100%) across a fixed number of categories. An advantage of the constant sum methodology over other question formats – most specifically importance scales – is that it forces the respondent to think carefully about their choices and to order their relative preferences<sup>7</sup>.

32. The constant sum methodology has been used to determine the comparative value of distant signal non-network programming by Bortz since 1983.

33. Although the constant sum methodology can be burdensome to respondents if the number of categories is extensive, the present application limits the respondent to seven or fewer categories for the allocation of the 100%. This is a reasonable task for the respondents to undertake and, in my opinion, the constant sum methodology is an appropriate methodology when asking respondents to determine relative value of various attributes, or in this case, specific categories of programming.

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<sup>7</sup> In contrast, respondents facing a rating scale can rank all program categories equally important.

34. The constant sum methodology is a well-established market research tool.

Support for the use of constant sum methodology has been offered in previous proceedings by a number of experts. For example, Dr. Samuel Book noted:

The constant sum method utilized in the Bortz study is appropriate for the purpose of assessing how cable operators would have allocated programming budgets among distant signal non-network programming categories. In fact, I do not believe there would have been any better way of determining how cable operators would have allocated their programming budgets. Constant sum surveys are often used in cable industry market research, and they are relied upon in the cable industry, especially in research situations where respondent trade-offs must be considered. See Written Direct Testimony of Samuel H. Book (1989 Proceeding) (JSC Ex. 3 at 2).

35. Others have concurred with Dr. Book's assessment; Dr. Leonard Reid stated that the "constant sum technique, such as that employed in the 1989 JSC survey, is a valid and well-accepted research tool." See Written Direct Testimony of Leonard Reid (1989 Proceeding) (JSC Ex. 14 at 3). Dr. Joel Axelrod indicated that "the constant sum technique is widely used and its predictive validity for purchase behavior has been amply documented in my published research as well as research reported by Haley and Case." See Written Direct Testimony of Joel Axelrod (1990-92 Proceeding) (JSC Ex. 2 at 3). As noted by Dr. Robert Crandall, "the constant sum survey is the best tool to answer the question presented in this proceeding." See Written Direct Testimony of Robert Crandall (2004-2005 Proceeding) (JSC Ex. 4 at 7).

36. One of the advantages of using interviewers for data collection (as compared to web-based or mail surveys) is that interviewers can assist respondents for whom

the task may be difficult. The interviewer instructions for Question 4 included the requirement that the interviewer prompt respondents if the valuations across the relevant categories did not sum to 100%.

37. In addition, once the respondent completed the valuation question, the interviewer reviewed the estimates with the respondent and queried them as to whether or not there were any changes to be made. In doing so, the respondent has the opportunity to further consider his or her responses, an approach that ensures for high quality of the resulting estimates.

38. As a means to reduce potential order or context effects related to the relative values assigned to the various program categories, the presentation order of the program categories was rotated across respondents. That is, for some respondents, the first category for which a valuation was requested may have been “movies” but “movies” was not consistently presented as the first category.

39. The retransmission of WGN programming presents a challenge with respect to valuations, since WGN retransmissions include both compensable and non-compensable programs. In their 2004-2005 distribution decision the CRJs commented on this issue (see Federal Register, 2010, p. 57067). To address the issue of non-compensable programming on WGN, for the 2010-2013 surveys, cable system operators who carried only WGN as their distant signal were provided a WGN programming summary identifying the compensable programming broadcast in the relevant year. These cable system operators were instructed to respond to the survey only with respect to these specific compensable programs. This change is an



important clarification for those operators for whom WGN is the only distant signal purchased.<sup>8</sup>

40. Changes in interviewing protocol were also adopted for those cable system operators with a large number of distant signals. The consolidation of cable systems (with respect to copyright reporting purposes) has led to an increased number of cable systems carrying nine or more distant signals. An analysis conducted by Bortz of systems with more than eight distant signals found that more than 93 percent of the signals that ranked ninth or lower in distant reach were carried as distant signals to fewer than 5 percent of the system's subscribers, and those signals accounted for less than 1 percent of royalty fees generated by all Form 3 systems that carried any U.S. commercial distant signals over the 2010-13 period (see Bortz Report, p. 35). As a result of this limited reach, cable system operators that carried nine or more distant signals were asked about only the eight most widely carried distant signals on the system. In my opinion, reducing the burden in this way for large cable system operators would most likely improve the quality of the reported data with little to no resulting bias in the resulting estimates.

#### **E. Data Collection and Processing**

41. Diamond (2011) also offers guiding questions with respect to mode of data collection and the use of interviewers:

- What limitations are associated with the mode of data collection used in the survey?

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<sup>8</sup> Note that this change has no impact on those cable systems for whom WGN is one of several distant signals purchased.

- Were interviewers appropriately selected and trained?
- Did the interviewers know about the survey and its sponsorship?
- What procedures were used to ensure and determine that the survey was administered to minimize error and bias?

In addition, she discusses post survey processing by asking<sup>9</sup>:

- What was done to ensure that the data were recorded accurately?

42. As noted above, the cable operator survey was conducted by telephone. The use of a telephone for data collection is an appropriate mode, especially for an establishment survey. The use of telephone data collection ensures the identification of an appropriate respondent for the survey. Telephone data collection also is efficient (less costly than face to face data collection) while offering the advantages of an interviewer (higher response rates and the ability to address respondents' questions).

43. All of the interviewers used for this data collection were experienced in conducting interviews with executives. They were not aware of the sponsor for the survey. Interviewers were monitored to ensure proper interviewing and recording of responses (see Bortz Report, p. 20).

44. Data entry was completed by Bortz. Personnel compared entered data to hard copy questionnaires to confirm the accuracy of the entered data (see Bortz Report, p. 23). The verification procedure was completed twice.

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<sup>9</sup> I have not included the following question raised by Diamond (2011), since it is not relevant to the present study or analysis: "What was done to ensure that the grouped data were classified consistently and accurately?"

## **F. Disclosure and Reporting**

45. The final set of questions that Diamond (2011) suggests as guidelines to understanding the quality of surveys and survey data address disclosure and reporting:

- When was the information about the survey methodology and results disclosed?
- Does the survey report include complete and detailed information on all relevant characteristics?
- In surveys of individuals, what measures were taken to protect the identities of individual respondents?

46. All details concerning the methodology used by Bortz in conducting the survey of cable system operators are included in the Bortz Report, including, but not limited to, the identification of the population, detailed information about the sampling frame and the sampling procedures, information concerning completion rates, questionnaire design, interviewer training, and estimates based on the survey data including the means by which to estimate the margin of error.

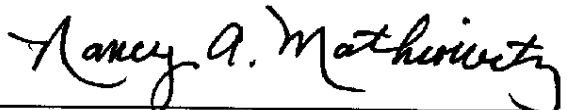
47. There is no information in the Bortz Report that reveals the identity of the individual cable system operators or the identity of the specific respondents. The Bortz Report further notes that survey respondents “were assured that their responses would be kept confidential (i.e., results would be reported only in an aggregated form)” (p. 22).

## **V. Conclusions**

48. The 2010-13 surveys of cable system operators conducted by Bortz continue a long series of similar surveys that employed constant sum methodology for the

estimation of relative program value related to distant signal retransmissions. The sample design and implementation as well as the questionnaire design all meet or exceed the guidelines as outlined by Diamond (2011) in the *Reference Manual on Scientific Evidence*. The similarity of estimates within categories across the years speaks to the reliability of the sampling and measurement process. It is my professional opinion that the resulting data offer both a valid and reliable estimate of the relative program values for distant signal retransmissions among cable system operators during the years 2010-13.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, reading "Nancy A. Mathiowetz". The signature is written in a cursive style with a horizontal line underneath the name.

Nancy A. Mathiowetz

## **APPENDIX A**

### **Nancy A. Mathiowetz**

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#### **RESEARCH AND TEACHING INTERESTS**

Survey methodology, research design and methods, quantitative methods, and statistics.

#### **EDUCATION**

University of Wisconsin, Madison, Wisconsin

B.S., Sociology (with honors), 1978

University of Michigan, Ann Arbor, Michigan

M.S., Biostatistics, 1983

Ph.D., Sociology, 1988

Dissertation: *The Applicability of Cognitive Theory to Long-Term Recall Questions in Social Surveys*

#### **PROFESSIONAL EXPERIENCE**

2015-	Professor Emerita, University of Wisconsin-Milwaukee
2005-2015	Professor, Sociology Department, University of Wisconsin-Milwaukee
2006-2009	Chair, Sociology Department, University of Wisconsin-Milwaukee
2003-2005	Associate Professor, Sociology Department, University of Wisconsin-Milwaukee
2001-2003	Associate Professor, Joint Program in Survey Methodology, University of Maryland; Adjunct Associate Research Scientist (Institute for Social Research) and Adjunct Associate Professor (Sociology Department), The University of Michigan
1995-2001	Assistant Professor, Joint Program in Survey Methodology, University of Maryland; Adjunct Assistant Research Scientist (Institute for Social Research) and Adjunct Assistant Professor (Sociology Department), The University of Michigan
1997-1998	ASA/NSF Fellowship, Bureau of Labor Statistics
1992	Guest Professor, Zentrum für Umfragen, Methoden und Analysen, Germany

1992-1995	Deputy Director, Division of Statistics and Research Methodology, Agency for Health Care Policy and Research
1993-1995	Adjunct Assistant Professor, Joint Program in Survey Methodology, University of Maryland
1990-1992	Special Assistant to the Associate Director, Statistical Design, Methodology, and Standards, U.S. Bureau of the Census
1987-1990	Senior Research Analyst, National Center for Health Services Research
1984-1987	Senior Research Associate, Westat, Inc.

## BOOKS AND MONOGRAPHS

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- Nancy A. Mathiowetz and Tamra J. Lair (1994) "Getting Better? Changes or Errors in the Measurement of Functional Limitations" *Journal of Economic and Social Measurement*, Vol. 20:237-262.
- John F. Moeller and Nancy A. Mathiowetz (1994) "Problems of Screening for Poverty Status" *Journal of Official Statistics*, Vol. 10 (3):327-337.
- Eleanor Singer, Nancy A. Mathiowetz, and Mick P. Couper (1993) "The Impact of Privacy and Confidentiality Concerns on Survey Participation: The Case of the 1990 Census" *Public Opinion Quarterly*, 57(4):465-482.
- Nancy A. Mathiowetz (1992) "Errors in Reports of Occupations," *Public Opinion Quarterly*, Vol. 56:352-355.
- John F. Moeller and Nancy A. Mathiowetz (1991) "Correcting Errors in Prescription Drug Reporting-A Critique." *Health Affairs* 10 (1): 210-211.
- Nancy A. Mathiowetz and Greg J. Duncan (1988) "Out of Work, Out of Mind: Response Error in Retrospective Reports of Unemployment," *Journal of Business and Economic Statistics*, Vol. 6, No.2, 221-229.
- Marc L. Berk, Nancy A. Mathiowetz, Edward P. Ward, and Andrew A. White (1987) "The Effect of Prepaid and Promised Incentives: Results of a Controlled Experiment" *Journal of Official Statistics*, Vol. 3(4): 449-457.



Nancy A. Mathiowetz and Robert M. Groves (1985) "The Effects of Respondent Rules on Health Survey Reports," *American Journal of Public Health*, Vol. 75:639-644.

Robert M. Groves and Nancy A. Mathiowetz (1984) "Computer Assisted Telephone Interviewing: Effects on Interviewers and Respondents," *Public Opinion Quarterly*, Vol. 48:356-369.

## **BOOK CHAPTERS AND OTHER PUBLICATIONS**

J. Michael Brick, W.R. Andrews, Pat Dean Brick, Howard King, Nancy A. Mathiowetz, and Lynne Stokes (2012) "Methods for Improving Response Rates in Two-Phase Mail Surveys" *Survey Practice*, Vol. 5 (3). [www.surveypractice.org](http://www.surveypractice.org).

Nancy A. Mathiowetz (2003) "Behavior Coding" in M. Lewis-Beck, A. Bryman, and T. F. Liao (eds.) *Encyclopedia of Social Science Research Methods*. Thousand Oaks, CA: Sage Publications.

Nancy A. Mathiowetz (2002) "Survey Design Options for the Measurement of Persons with Work Disabilities" in G. Wunderlich, D. Rice and N. Amaldo (eds.) *The Dynamics of Disability*. Washington, D.C.: National Academy Press.

Nancy A. Mathiowetz (2000) "Methodological Issues in the Measurement of Work Disability," Chapter 3 in N. Mathiowetz and G. Wunderlich (eds.) *Survey Measurement of Work Disability: Summary of a Workshop*. Washington, D.C.: National Academy Press.

Nancy A. Mathiowetz (1997). Book Review. *Data Collection and Management: A Practical Guide*. *Public Opinion Quarterly*, Vol. 61, No. 2.

Norbert Schwarz, Nancy Mathiowetz, and Robert Belli (1996) "Assessing Satisfaction with Health and Health Care: Cognitive and Communicative Processes" in R. Warnecke (ed.) *Health Survey Research Methods*. Washington, D.C.: DHHS Publication No. (PHS) 96-1013.

Donna Eisenhower, Nancy A. Mathiowetz, and David Morganstein (1991) "Recall Error: Sources and Bias Reduction Techniques" in *Measurement Errors in Surveys*, P. Biemer, B. Groves, L. Lyberg, N. Mathiowetz and S. Sudman (Eds.) New York: John Wiley and Sons.

Nancy A. Mathiowetz (1991) "Discussion: Survey Quality Profiles" in *Seminar on Quality of Federal Data*, Statistical Policy Working Paper #20, Washington, D.C.: Statistical Policy Office, Office of Management and Budget.

Nancy A. Mathiowetz (1989) "Discussion: Validity of Reporting in Surveys" in J. Fowler (ed.) *Health Survey Research Methods*, Washington, D.C.: DHHS Publication No. (PHS) 89-3447.

Tom Smith, D. Garth Taylor, and Nancy Mathiowetz (1980) "Public Opinion and Public Regard for the Federal Government" in C. Weiss and A. Barton (eds.) *Making Bureaucracies Work*. Beverly Hills: Sage Publications.

## **PRESENTATIONS AND PROCEEDINGS PUBLICATIONS**

Nancy A. Mathiowetz, J. Michael Brick, Sarah Cho, Jon Cohen, Scott Keeter and Kyley McGeeney (2015) "Revisiting Sample Frame and Mode Effects: A Comparison of Point Estimates." Paper presented at the 70<sup>th</sup> Annual Conference, American Association for Public Opinion Research.

J. Michael Brick, Sarah Cho, Jon Cohen, Scott Keeter, Kyley McGeeney, and Nancy A. Mathiowetz (2015) "Weighting and Sample Matching Effects of an Online Sample." Paper presented at the 70<sup>th</sup> Annual Conference, American Association for Public Opinion Research.

Scott Keeter, Nancy A. Mathiowetz, Kyley McGeeney, and Ruth Igielnik (2015). "The Challenge of Mode of Interview Effects in Public Opinion Polls." Paper presented at the 70<sup>th</sup> Annual Conference, American Association for Public Opinion Research.

Nancy A. Mathiowetz, Kirsten Olson, and Courtney Kennedy (2011) "Redesign Options for the Consumer Expenditure Survey." Paper presented to the National Academy of Sciences Workshop on the Redesign of the Consumer Expenditure Survey, October, 2011.

Nancy A. Mathiowetz, J. Michael Brick, Lynne Stokes, Rob Andrews, and Seth Muzzy (2010) "Improving Coverage and Reducing Nonresponse: A Pilot Test of a Dual Frame Mail Survey as an Alternative to an RDD Survey." Paper presented at the Joint Statistical Meeting, American Statistical Association, Vancouver, Canada.

- Nancy A. Mathiowetz (2002) "Behavior Coding: Tool for the Evaluation of the Survey Process and Survey Questions: Session in Honor of the Contributions of Charles Cannell." Paper presented at the Annual Conference, American Association for Public Opinion Research.
- Nancy A. Mathiowetz, Roger Tourangeau, and Paul Guerino (2002) "Measuring Persons with Disabilities." Paper presented at the Annual Conference, American Association for Public Opinion Research.
- Nancy A. Mathiowetz, Roger Tourangeau, and Paul Guerino (2002) "Methodological Issues in the Measurement of Persons with Disabilities." Invited paper presented at the Joint Statistical Meetings, American Statistical Association, New York, New York.
- John Moeller, Steve Cohen, Nancy Mathiowetz, and Lap-Ming Wun (2002) "Model-Based Sampling for Households with High Health Expenditures: Evaluating Accuracy and Yield with the 1997 MEPS." Paper presented at the Joint Statistical Meetings, American Statistical Association, New York, New York.
- John Moeller, Steve Cohen, Nancy Mathiowetz, and Lap-Ming Wun (2001) "Model-Based Sampling for Low Income Households: An Evaluation from the 1997 Medical Expenditure Panel Survey." Paper presented at the Joint Statistical Meetings, American Statistical Association, Atlanta, Georgia.
- Nancy A. Mathiowetz (2000) "Methodological Issues in the Measurement of Persons with Disabilities" Invited Paper, Joint Statistical Meetings, American Statistical Association, Indianapolis, IN.
- Nancy A. Mathiowetz, Mick Couper, and Dicy Butler (2000) "Characteristics of Nonrespondents and the Impact of Nonresponse: The American Travel Survey." Fifth International Conference on Social Science Methodology, Cologne, Germany.
- Nancy A. Mathiowetz (2000) "The Effects of Length of Recall on the Quality of Survey Data" Invited paper, Fourth Conference on Methodological Issues in Official Statistics, Stockholm, Sweden.
- Nancy A. Mathiowetz and Annette Gartin (2000) "The Effects of Alternative Questions on Estimates of Persons with Disabilities: An Examination of the Year 2000 Decennial Census." Paper presented at the Annual Conference, American Association for Public Opinion Research, Portland, OR.

Nancy A. Mathiowetz (1999) Invited Discussant "Question Salience, Question Difficulty and Item Nonresponse in Survey Research" International Conference on Survey Nonresponse, Portland, OR.

Nancy A. Mathiowetz (1999) "The Validity of Self Reported Health Measures Among Older Adults." Paper presented at the Annual Conference, American Association for Public Opinion Research.

J. Michael Dennis, Nancy A. Mathiowetz, and others (1999) "Analysis of RDD Interviews by the Number of Call Attempts: The National Immunization Survey" Paper presented at the Annual Conference, American Association for Public Opinion Research.

Brian Harris-Kojetin and Nancy A. Mathiowetz (1998) "The Effects of Proxy Response on the Reporting of Race and Ethnicity" Paper presented at the Annual Conference, American Association for Public Opinion Research.

Nancy A. Mathiowetz (1997) "Optimal Times to Contact and Interview Respondents: Findings from a Face to Face Data Collection Effort." Paper presented at the Annual Conference, American Association for Public Opinion Research.

Nancy A. Mathiowetz and Sarah Dipko (1997) "Examining Patterns of Response Error: A Comparison of Reports by Teenagers and Adults." Paper presented at the Annual Conference, American Association for Public Opinion Research.

Nancy A. Mathiowetz (1997) "Measuring Non-Market Labor Using a Time-Use Methodology" Invited paper, International Conference on Time Use, Non-Market Work, and Family Well Being, U.S. Bureau of Labor Statistics.

Nancy A. Mathiowetz and James Lepkowski (1996) "The Effect of Different Time Frames on Single Interview Bounding Techniques." Paper presented at the Annual Conference, American Association for Public Opinion Research.

Nancy A. Mathiowetz and Linda Stinson (1996) "The Effect of Length of Recall on the Quality of Survey Data: A Meta-Analytic Approach." Paper presented at the Annual Conference, American Association for Public Opinion Research.

Nancy A. Mathiowetz (1993) "An Evaluation of Alternative Missing Data Replacement Techniques." *Proceedings of the Section on Survey Research Methods*, American Statistical Association.

- Eleanor Singer, Nancy Mathiowetz, and Mick Couper (1993) "The Impact of Privacy and Confidentiality Concerns on Survey Participation: The Case of the 1990 Census." Paper presented at the Annual Conference, American Association for Public Opinion Research.
- Nancy A. Mathiowetz and Tamra J. Lair (1992) "Getting Better? Changes or Errors in Estimates of Functional Status." *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Nancy A. Mathiowetz (1992) "A Behavioral Paradigm for Understanding Nonresponse to the 1990 Census." Paper presented at the Annual Conference of the American Association of Public Opinion Research.
- John F. Moeller and Nancy A. Mathiowetz (1991) "Catastrophic Prescription Expenditures for the Medicare Population." Paper presented at the Annual Meetings of the Gerontological Society of America.
- Nancy A. Mathiowetz, Terry DeMaio, and Elizabeth Martin (1991) "Political Alienation, Voter Registration and the 1990 Census." Paper presented at the annual conference of the American Association of Public Opinion Research.
- John F. Moeller and Nancy A. Mathiowetz (1990) "Problems of Screening for Poverty Status," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Joel Leon, Tamra Lair, Pamela Farley Short, and Nancy A. Mathiowetz (1989) "1987 National Estimates of the Functionally Disabled Elderly: Policy Implications of Varying Definitions of Disability," Winter Meetings of the American Statistical Association.
- Nancy A. Mathiowetz (1988) "Forgetting Events in Autobiographical Memory: Findings from a Health Care Survey," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Nancy A. Mathiowetz (1987) "Response Error: Correlation between Estimation and Episodic Recall Tasks," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.

- Nancy A. Mathiowetz, Marc L. Berk, and Andrew A. White (1987) "The Effect of Changing Interviewers and Mode of Interview in a Panel Health Survey." Winter Meetings of the American Statistical Association.
- Nancy A. Mathiowetz (1986) "Mode of Initial Contact for Personal Interviews: Findings from Two Experiments," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Nancy A. Mathiowetz (1986) "Episodic Recall vs. Estimation: The Applicability of Cognitive Theory to Problems in Survey Research." Presented at Annual Meetings of the American Association of Public Opinion Research.
- Nancy A. Mathiowetz (1985) "The Problem of Omissions and Telescoping Error: New Evidence from a Study of Unemployment." *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Nancy A. Mathiowetz, Doris Northrup, and Sandra Sperry (1985) "An Evaluation of Mode of Initial Contact for In-Person Interviews." Presented at Annual Meetings of the American Association of Public Opinion Research.
- Nancy A. Mathiowetz and Greg J. Duncan (1984) "Temporal Patterns of Response Error in Retrospective Reports of Unemployment and Occupation," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Nancy A. Mathiowetz and Charles F. Cannell (1980) "Coding Interviewer Behavior as a Method of Evaluating Performance," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Robert M. Groves, Lou J. Magilavy, and Nancy A. Mathiowetz (1980) "The Process of Interviewer Variability: Evidence from Telephone Surveys," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.
- Robert M. Groves, Marianne Berry, and Nancy A. Mathiowetz (1980) "Some Impacts of Computer Assisted Telephone Interviewing on Survey Methods," *Proceedings of the Section on Survey Research Methods*, American Statistical Association.

## RESEARCH REPORTS

Nancy A. Mathiowetz, Kristen Olson, and Courtney Kennedy (2011) "Redesign Options for the Consumer Expenditure Survey." Prepared for the National Academy of Sciences (DBASSE-004950-0001-031411).

Nancy A. Mathiowetz (2010) "Self and Proxy Reporting in the Consumer Expenditure Survey Program." Paper prepared for the Consumer Expenditure Methods Workshop, Bureau of Labor Statistics.

Nancy A. Mathiowetz (1998) "The Impact of Biannual Interviewing on Nonresponse and Measurement Error." Paper commissioned by the National Longitudinal Study Technical Review Committee.

Nancy A. Mathiowetz. (1994) "Autobiographical Memory and the Validity of Survey Data: Implications for the Design of the Panel Study of Income Dynamics." Paper commissioned by the Panel Study of Income Dynamics Technical Advisory Board.

Nancy A. Mathiowetz, Mick P. Couper, and Eleanor Singer (1994) "Where does all the Mail Go? Mail Receipt and Handling in U.S. Households." Survey Methodology Program Working Paper No. 25. Ann Arbor: University of Michigan.

John F. Moeller, Nancy A. Mathiowetz, and Steven B. Cohen (1989) *Prescription Drugs: Use and Expenditures by Medicare Beneficiaries*, Report to Congress.

John F. Moeller and Nancy A. Mathiowetz (1989) *Prescribed Medicines: A Summary of Use and Expenditures by Medicare Beneficiaries*, National Medical Expenditure Survey Research Findings 3, Rockville, MD.

A. Vinokur, C. Cannell, S. Eraker, F. Juster, and N. Mathiowetz (1983) *The Role of Survey Research in the Assessment of Health and Quality of Life Outcomes of Pharmaceutical Interventions*. Monograph prepared for the Pharmaceutical Manufacturers Association.



## EDITORIAL ACTIVITIES

Associate Principal Investigator, Time-Sharing Experiments for the Social Sciences (TESS), 2012–  
Editor, *Public Opinion Quarterly*, 2008-2012  
Associate Editor, *Public Opinion Quarterly*, 2004 -2007  
Associate Editor, *Journal of Official Statistics*, 1998-2004  
Reviewer, John Wiley Series in Survey Methodology  
Reviewer, *Journal of the American Statistical Association*  
Reviewer, *Survey Methodology*  
Reviewer, *Journals of Gerontology*  
Reviewer, *Reference Manual on Scientific Evidence*, Federal Judicial Center

## TEACHING

### Courses

Methods of Research and Analysis for Urban Social Institutions (Soc 982)  
Advanced Statistical Methods in Sociology (Soc 760)  
Fundamentals in Survey Methodology (Soc 752)  
Questionnaire Design (Soc 754)  
Research Methods in Sociology (Soc 362)  
Data Collection Methods in Survey Research  
Survey Management  
Survey Practicum

### Invited Lectures, Short Courses and Workshops

Questionnaire Design, University of Wisconsin Executive Education, 2004  
Methodological Issues in the Measurement of Disability, United Nations, November, 2000  
Survey Design for Response Quality in Household Surveys, 2000, Invited two-day workshop, Statistics Sweden, 2000  
Survey Management, 1999, one-day short course, Department of Agriculture  
Survey Management, 1998, one-week course, Summer Institute in Survey Research Techniques, Institute for Social Research, University of Michigan  
Survey Management, 1998, two-day short course, JPSM Short Course  
An Introduction to Pretesting, two-day short course, 1997, JPSM Short Course  
Invited Lecture, Dartmouth College, 1997  
Telephone Survey Design, one-week course, Summer Institute in Survey Research Techniques, Institute for Social Research, University of Michigan  
Invited Scholar, Iowa State University, 1996  
Questionnaire Design, 1995, half-day course, American Association of Public Opinion Research



## **Graduate Student Advising**

Mark Caldwell, Ph.D. Dissertation Committee, 2014-2015  
Marcella Blom-Willis, MA Chair, 2014-2015  
Elisabeth Callahan, MA Chair, 2014-2015  
Lee Chang, MA Chair, 2013-2014  
Erica Svojse, MA Chair, 2013-2014  
Kate Brown, MA Member, 2013-2014  
Rachel Custasis, MA Chair, 2012- 2013  
Brendan Held, MA Chair, 2012-2013  
Ben Gilbertson, MA Member, 2012- 2013  
Kara Ritchardt, MA Member 2012- 2013  
Maureen Pylman, Ph.D. Prelim Chair, 2012-2013  
Brienne Schreiber, Sociology, MA, Chair, 2011-2012  
Atiera Coleman, Sociology, MA, Member, 2011-2012  
Crystal Mathes, Sociology, MA, Member, 2011-2012  
Jackie Austin, Sociology, MA, Chair, 2010-2011  
Liz Grimm, Human Movement Sciences, Ph.D., 2010-2011  
Matt Wagner, Urban Studies Program, Ph.D., 2008  
Kirsten Brown, Sociology, MA, Chair, 2007-2008  
Peter Barwis, Sociology, MA, Member, 2006-2007  
Heather Price, Sociology, MA, Member, 2006-2007  
Georgiann Davis, Sociology, MA, Chair, 2005-2006  
Leslie Mason, Sociology, MA, Chair, 2005-2007  
Kyle Poppie, Sociology, MA, Member, 2006-2007  
Molly Simmerman, Sociology, MA, Chair, 2006-2007  
Adam Lippert, Sociology, MA, Member, 2006  
Julie Weeks, Sociology, Ph.D. Committee, 1999-2000  
Jill Walston, Education Measurement and Statistics, Ph.D. Committee, 1999-2000

## **PROFESSIONAL ACTIVITIES**

### **American Association for Public Opinion Research**

Recipient, AAPOR Award for Exceptionally Distinguished Achievement, 2015  
Past President, 2008-2009  
President, 2007-2008  
President-elect/Vice President, 2006-2007  
Chair, Standards Committee, 2005-2006  
Associate Chair, Standards Committee, 2004-2005  
Secretary-Treasurer, 1995-1996  
Chair, Education Committee, 1995-2001  
Associate Secretary-Treasurer, 1994-1995  
Membership Chair, 1990-1991  
Associate Membership Chair, 1989-1990

### **American Statistical Association**

Elected Fellow, American Statistical Association, 2012  
Member, Survey Review Committee, 2001-2003  
Member, Census Advisory Committee, 2000-2002  
Member, Committee on Statistics and Disability, 2000-2006  
Member, Committee on Meetings, 1997-2001  
Member, E.C. Bryant Scholarship Committee, 1997-2003  
Program Chair, Section on Survey Research Methods, 1995-1996  
Program Chair-Elect, Section on Survey Research Methods, 1994-1995  
Member, Continuing Education Committee, 1988-1990  
Chair, Continuing Education Winter Conference, 1988-1989  
Member, Survey Research Methods Technical Advisory Committee on SIPP, 1986-1990

### **Advisory Committees**

American Statistical Association Committee on Energy Statistics, 2010- 2015  
Bureau of Labor Statistics, Consumer Expenditure Survey Expert Panel, 2010  
California Health Interview Survey Technical Advisory Committee, 2009-  
National Center for Health Statistics, Board of Scientific Counselors, Long Term Care  
Program Review Panel, 2009  
National Academy of Science, Committee on National Statistics, Panel to Review U.S.  
Department of Agriculture's Measurement of Food Insecurity and Hunger,  
2004-2005  
National Advisory Board, Institute for Research on Poverty, University of Wisconsin,  
Wisconsin Works Child Support Demonstration, 1998-2001  
National Gambling Commission, Technical Advisory Panel, 1998  
National Longitudinal Survey of Children and Families in the Child Welfare System,  
Technical Advisory Panel, 1998-2000  
Substance Abuse and Mental Health Services Administration, Technical Advisory  
Committee, 1997  
National Longitudinal Surveys Technical Review Committee, Bureau of Labor  
Statistics, 1993-1999  
Bureau of Labor Statistics, Invited Panel Member, Questionnaire Design Advisory  
Conference for the Consumer Expenditure Survey and Current Population  
Survey, 1987

### **Grants Review**

National Institutes of Health, Biostatistical Methods and Research Design Study  
Section, Member, 2003-2007 and various special emphasis panels, 2008-  
Russell Sage Foundation, 2000  
National Science Foundation, 1998-  
National Institute of Health, Reviewer, Mental Health AIDS and Immunology Review  
Committee, 1996

### **Reports Review**

National Academy of Science, Reviewer, *Conducting Biosocial Surveys*, 2010  
U.S. Department of Agriculture, Reviewer, *Continuing Survey of Food Intake*, 1996  
National Academy of Sciences, Reviewer, *Report on Survey of Scientists and  
Engineers*, 1991

**Miscellaneous**

Organizer, Interviewer-Respondent Interaction Workshop, Boston, MA May, 2013  
Chair, Charles Cannell Fund in Survey Methodology, 2003-  
Federal Committee on Statistical Methodology, Member, Subcommittee on  
Statistical Training, 1995-1999  
Social Science Research Council, Invited Participant, Workshop on the Cognition and  
Measurement of Pain, 1987  
Social Science Research Council, Invited Participant, Seminar on Effect of Theory-  
Based Schemas on Retrospective Data, 1987

**University of Wisconsin-Milwaukee**

Faculty Chair, Zilber School of Public Health, 2014-2015  
Chair, School of Public Health Founding Dean Search Committee, 2010-2011  
Member, School of Public Health Executive Committee, 2010-2011  
Chair, Merit Committee, Sociology Department, 2010-2013  
Member, School of Public Health Planning Council, 2007- 2009  
Member, Division of Social Sciences Executive Committee, 2005-2008  
Official Representative to the Inter-University Consortium for Political and Social  
Research, 2003-2007  
Chair, Recruitment Committee, Department of Sociology, 2005; 2012  
Chair, Curriculum Committee, Urban Studies Program, 2004-2005; 2010-2012  
Member, Research Committee, Center for Age and Community, 2003-2005  
Member, Applied Gerontology Certificate Committee, 2004-2006  
Member, Executive Committee, Urban Studies Program, 2005  
Member, Graduate Committee, Sociology Department, 2005-2009; 2012-2015

# Certificate of Service

I hereby certify that on Tuesday, February 20, 2018 I provided a true and correct copy of the Dr. Nancy Mathiowetz Written Direct Testimony to the following:

Canadian Claimants Group, represented by Victor J Cosentino served via Electronic Service at victor.cosentino@larsongaston.com

Commercial Television Claimants (CTC), represented by Ann Mace served via Electronic Service at amace@crowell.com

Public Broadcasting Service (PBS), represented by Ronald G. Dove Jr. served via Electronic Service at rdove@cov.com

Devotional Claimants, represented by Michael A Warley served via Electronic Service at michael.warley@pillsburylaw.com

MPAA-represented Program Suppliers, represented by Alesha M Dominique served via Electronic Service at amd@msk.com

Signed: /s/ Michael E Kientzle